IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 498 OF 2006

IN

CRIMINAL APPEAL NO. 1051 OF 2004

Noman Abdul Khalid Sunshare.. .... Applicant.
Versus
The State of Maharashtra.... ... Respondent.

None for the Applicant.
Mr. S. R. Shinde, APP for the State.

**CORAM : D. B. BHOSALE, J.**

**DATED : 10TH JULY, 2006.**

**P.C.:**

None present for the applicant. Even on last occasion none appeared for the applicant. Hence I am constrained to dispose of this application in the absence of learned counsel for the applicant on merits. Heard learned A.P.P.

2. The applicant, whose appeal has already been admitted on merits, has been convicted under Section 366 of Indian Penal Code and sentenced to suffer R.I. for 7 years and to pay fine of Rs.3,000/-, in default to suffer R.I. for 2 months. He has also been

convicted under Section 366-A of the Indian Penal Code and sentenced to suffer R.I. for 7 years and to pay fine of Rs.5,000/-, in default to suffer R.I. for 2 months. He was tried and convicted on the allegation that he kidnapped a minor girl and sold her to accused Nos.1, 2, 3 and 5 knowing fully well that she would be forced to indulge in prostitution and in fact that happened for which other accused have also been tried and convicted by the trial court. The applicant was identified by the victim girl during investigation.

3. Looking to the nature of the allegations and the evidence on record, which found to be trustworthy by the trial court, I am not inclined to enlarge the applicant on bail. Application is accordingly rejected.

4. At this stage, learned counsel for the applicant appears and prays for liberty to prepare a paper book and for fixed date of hearing. Liberty to prepare private paper book is granted. It is open for the applicant to apply for fixed date of hearing after filing of the paper book.

Sd/-

**(D. B. BHOSALE, J.)**